

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

MICHAEL DEANDRE WILLIAMS,

Plaintiff,

v.

Civil Action No. 2:19-cv-00067

TINA FOUTS-SNEED, J.T. BINION,
and JESSICA THORNHILL,

Defendants.

ORDER

Pending before the court is the Proposed Findings and Recommendation ("PF&R") of United States Magistrate Judge Dwane L. Tinsley. ECF No. 111.

The Magistrate Judge recommends granting the Motion for Summary Judgment filed by defendant J.T. Binion, ECF No. 76; granting the Motion for Summary Judgment filed by defendants Tina Fouts-Sneed and Jessica Thornhill, ECF No. 78; denying the Motions for Summary Judgment filed by plaintiff, ECF Nos. 82, 83; and dismissing this matter from the docket of the court. Id. at 27-28.

In reviewing a PF&R, the court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). Upon the filing of an objection to a PF&R, the court "shall make a de novo determination of those portions of the report or specified

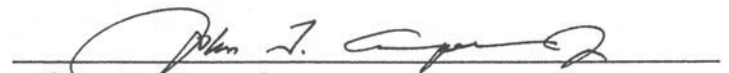
proposed findings or recommendations to which objection is made." Id. Failure to object to a PF&R constitutes waiver of de novo review, in which case the court reviews the PF&R for clear error. See Fed. R. Civ. P. 73 Advisory Committee notes.

There being no objections to the PF&R and the time for filing objections having elapsed, and the court having reviewed the PF&R for clear error and finding none, it is ORDERED that the PF&R be, and hereby is, adopted by the court and incorporated herein. It is, therefore, ORDERED as follows:

1. Defendant J.T. Binion's Motion for Summary Judgment, ECF No. 76, be, and hereby is, GRANTED;
2. Defendants Tina Fouts-Sneed and Jessica Thornhill's Motion for Summary Judgment, ECF No. 78, be, and hereby is, GRANTED;
3. Plaintiff's Motions for Summary Judgment, ECF Nos. 82, 83, be, and hereby is, DENIED;
4. This matter be, and hereby is, DISMISSED with prejudice from the docket of the court.

The Clerk is directed to transmit copies of this order to any unrepresented parties, all counsel of record, and the United States Magistrate Judge.

ENTER: July 3, 2024


John T. Copenhaver, Jr.
Senior United States District Judge